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February 9, 2011

**VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, NW  
Washington, DC 20554

**Re: EB Docket No. 06-36  
Section 64.2009(e) CPNI Certification**


**Peoples Telephone Company (Form 499-A Filer ID No. 801366)  
and  
Peoples Long Distance (Form 499-A Filer ID No. 801366)**

Dear Ms. Dortch:

Pursuant to the Commission's Public Notice, DA 11-159, released January 28, 2011, attached for filing is a Section 64.2009(e) Customer Proprietary Network Information certification and accompanying statement covering the prior calendar year 2010 of Peoples Telephone Company (Form 499-A Filer ID No. 801366) and Peoples Long Distance (Form 499-A Filer ID No. 801366). Please note that both companies report revenue on a single Form 499 and thus the same 499 Filer ID applies to both companies.

Please contact the undersigned should you have any questions or require additional information.

Respectfully submitted,

  
Thomas J. Moorman

Attachments

cc: Best Copy & Printing, Inc. (via email)



## **Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2011 covering the prior calendar year 2010

1. Date filed: February 9, 2011
2. Name of company(s) covered by this certification: Peoples Telephone Company and Peoples Long Distance
3. Form 499 Filer ID: #801366 (\*The ILEC and long distance company report its revenue on a single Form 499 and thus the same 499 Filer ID applies to both companies)
4. Name of signatory: James Garner
5. Title of signatory: Vice President
6. Certification:

I, James Garner, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed 

**Attachment:** Accompanying Statement explaining CPNI procedures



## PEOPLES TELEPHONE COMPANY

Peoples Telephone Company 499 Filer ID 801366  
Peoples Long Distance 499 Filer ID 801366

300 W. Main Street, Erin TN 37061

### 2010 ANNUAL STATEMENT OF FCC CPNI RULE COMPLIANCE February 9, 2011

This statement serves to explain how Peoples Telephone Company and Peoples Long Distance (collectively and individually "Company"), are complying with Federal Communications Commission ("FCC") rules related to the privacy of customer information. The type of information for which customer privacy is protected by the FCC's rules is called "customer proprietary network information" ("CPNI"). The FCC's rules restricting telecommunication company use of CPNI are contained at Part 64, Subpart U of the FCC's rules (47 C.F.R. §§ 64.2000-2011).

*All subsequent references to rule Sections refer to rules under Part 64, Subpart U unless indicated otherwise.*

*As of this date, the Company has not used nor plans to use CPNI for marketing. For marketing purposes, the Company uses customer billing name and address and/or telephone number without any disaggregation or refinement based on CPNI.*

#### 1. Identification of CPNI

The Company has established procedures and trained employees having access to, or occasion to use customer data, to identify what customer information is CPNI consistent with the definition of CPNI under the Section 64.2003(g) and Section 222(f)(1) of the Communications Act of 1934 as amended (47 U.S.C. § 222(f)(1)).

#### 2. Identification of Services Affected by CPNI Rules

The Company has established procedures and trained employees to recognize the different types of telecommunications and non-telecommunications services that affect how the Company uses CPNI.

#### 3. Identification of Permissible Uses of CPNI without Customer Authorization

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI **not** requiring customer authorization under Section 64.2005.

#### 4. Identification of Uses of CPNI Requiring Customer Authorization

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI requiring customer authorization under Section 64.2007.

#### 5. Customer Notification and Authorization Process

The Company does not use CPNI for marketing and thus, at this time, and thus has not provided notice regarding Opt-Out. Prior to any planned use of CPNI for marketing, the Company will initiate the notification and Opt-Out process. The Company does not provide CPNI to other



parties and thus has not used the opt-in approval process. The Company has trained employees regarding prohibitions on use of CPNI for marketing. Prior to initiation of any program for use of CPNI for marketing, the Company will train employees with a need and/or responsibility for obtaining customer authorization to use CPNI for marketing purposes, regarding the notice and approval requirements under Section 64.2008.

#### **6. Record of Customer CPNI Approval/Non-Approval**

At such time as Company may initiate use of CPNI for marketing with corresponding launch of a notification and Opt-Out process, the Company will develop and utilize a system for maintaining readily accessible record of whether and how a customer has responded to Opt-Out approval as required by Section 64.2009(a).

#### **7. Procedures Protecting Against Disclosure of CPNI**

During 2007, the Company implemented procedures for compliance with new Section 64.2010 including, but not limited to the following:

Authentication of customers before disclosing CPNI on customer-initiated telephone contacts or business office visits.

The Company provides customers with on-line access to customer account information for which the Company has initiated procedures to control access in compliance with Section 64.2010(c) comprising authentication through a password established in compliance with Section 64.2010(e).

The Company has implemented password back-up authentication procedures in compliance with Section 64.2010(e).

The Company has implemented procedures to notify customers of account changes.

#### **8. Actions Taken Against Data Brokers**

Pursuant to Section 64.2009, the Company makes the following explanation of any actions taken against data brokers and a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI:

<u>Not applicable.</u>	No actions taken against data-brokers.
	No customer complaints received.

#### **9. Disciplinary Process**

The Company has in place an express disciplinary process to address any unauthorized use of CPNI where the circumstances indicate authorization is required under Section 64.2009(b).



#### **10. Supervisory Review Process for Outbound Marketing**

Before undertaking to use CPNI for outbound marketing purposes, the Company will establish a supervisory review process to ensure compliance with Section 64.2009(d) of the FCC's Part 64, Subpart U CPNI rules.

#### **11. Procedures for Notifying Law Enforcement of CPNI Security Breaches**

The Company has adopted procedures to comply with Section 64.2011 for notifying law enforcement of CPNI security breaches, together with related recordkeeping and deferred notification to customers.